G.S.R. 492(E).—ATIONAL CAPITAL REGION (NCR) STATES, THERE IS A NEED TO TAKE MEASURES RELATING TO SALE AND USE OF PET COK

REGD. NO. D. 1=33004/99 Che Gazette of -3Jndia 349] No. 349] EXTRAORDINARY PART 11—Section 3—Sub-section (i) PUBLISHED BY AUTHORITY 25, 2018/*84 , 1940 NEW DELHI, FRIDAY, MAY 25, 2018/JYAISEHA 4, 1940 "f«ur, 25 Ht, 2018 «rsrfi. 492 , ü--æ-*Ä- -ft -4-ü (&4UT) 1986 (1986 29) 3 (1) (2) 19 2018 45 (4) t) -Gi-I-ft -ft 3fr (f*T t) Ä- qr-4-l-ff ft-u-r qr-4-l-ff TV, -ft (TF$r?ÅTX) 44, (&4UT) 1986 (1986 29) 3 fir (1) (2) 19 2018 qTÄTfi. 45 (4) 2955 GI,'2018 2 THE GAZETTE OF INDIA : EXTRAORDINARY (ii) (8) h: - [PART 11 SEC. 3(i)] -it-É li-fi--,, 3å-åt-fiT4- -Gr (74) gry•r qrurrr, (2) fir (q) (i) (ii) (iii) (11) qx, "(1 1) f*--ä-q-ur füfr;ui fr4iTé GITTFIT"I : 19 2018 45 (4) MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE NOTIFICATION New Delhi, the 25th May, 2018 G.S.R. 492(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States; And Whereas, in exercise of the powers conferred by sub-sections (l) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government issued notification, published vide number G. S. R. 45 (E), dated the 19dl January, 2018, for sale and use of pet coke in lime kiln in NCR States (hereinafter referred to as the said notification); And Whereas, subsequent to issuance of the said notification, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations that even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators; And Whereas, the Ministry after considering the said representations is of the considered opinion that in order to facilitate the user under the said notification, they can be permitted to source through import facilitators subject to provisions of the said notification; And Whereas, there is further need for enhancing transparency and better monitoring with reference to sale and use of pet coke in the NCR States; Now, therefore, in exercise of the powers conferred by sub-sections (l) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby makes the following amendments in the said notification number G. S. R. 45(E), dated the 19dl January, 2018, namely: - 3(i)] In the said notification, - (i) in direction (l), the words "as a fuel" shall be omitted; (ii) in direction (8), the following proviso shall be inserted, namely: - 3 "Provided that in case, a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if- (a) such third party registers with the concerned State Pollution Control Board; (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party; (c) such third party furnishes declaration with respect to clauses (i) and (ii) to the custom authorities." (iii) for direction (l l), the following direction shall be substituted, namely:- "(11) The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the States Pollution Control Boards". [F. No. Q-16017/4/2018-CPA] RITESH KUMAR SINGH, Jt. secy. Note: the principal notification was published vide number G.S.R 45 (E), dated the 19dl January, 2018. 25 Ht, 2018 «rsrfi. fir z•q-ru (&Z+JT) 1986 (1986 29) 3 (1) (2) -4i--äz -€i-ä-it 19 2018 46 (4) t) -Gil-ft -fi , 3fr t) Ä- qr-4-l-ff a-ü ft-u-r qr-4-l-ff y-ü*-a-r -ft fir 314, (&Z+JT) 1986 (1986 29) fir 3 (1) (2) €11, 19 2018 qr.*Tfi. 46 (4) 4 (ii) THE GAZETTE OF INDIA : EXTRAORDINARY (8) mfrt.•- [PART 11 SEC. 3(i)] -it-É li-ii--,, 3å-årfiÄ- -Gr B) gry•r (2) (q) (i) (ii) fir (iii) (11) qx, "(11) f*--ä-q-ur ah-é, füfr;ui fr4iTé GITTFIT"I : 19 2018 46 (4) NOTIFICATION New Delhi, the 25th May, 2018 G.S.R. 493(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States; And Whereas, in exercise of the powers conferred by sub-sections (l) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government issued notification, published vide number G. S. R. 46 (E), dated the 19th January, 2018, for sale and use of pet coke in cement plant in NCR States (hereinafter referred to as the said notification); And Whereas, subsequent to

issuance of the said notification, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations that even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators; And Whereas, the Ministry after considering the said representations is of the considered opinion that in order to facilitate the user under the said notification, they can be permitted to source through import facilitators subject to provisions of the said notification; And Whereas, there is further need for enhancing transparency and better monitoring with reference to sale and use of pet coke in the NCR States; Now, therefore, in exercise of the powers conferred by sub-sections (l) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central overnment hereby makes the following amendments in the said notification number G. S. R. 46(E), dated the 19dl January, 2018, namely: - In the said notification, - (i) in direction (l), the words "as a fuel" shall be omitted; (ii) in direction (8), the following proviso shall be inserted, namely: - "Provided that in case, a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if- 3(i)] (a) such third party registers with the concerned State Pollution Control Board; 5 (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party; (c) such third party furnishes declaration with respect to clauses (i) and (ii) tothe custom authorities."; (d) for direction (l l), the following direction shall be substituted, namely:- "(11) Ihe NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the States Pollution Control Boards". [F. No. Q-16017/4/2018-CPA] RITESH KUMAR SINGH, Joint Secretary Note : the principal notification was published vide number G.S.R 46(E), dated the 19th January, 2018. 25 Ht,2018 «TST.R. FP-TT ft-u-r Brr: 44, (&Z+JT) 1986 (1986 29) 3 (1) (2) (1) (2) (3) (4) 410, f*pi-q-ur y-rcrr a-a-r üé q-rtr 6 (5) (6) (7) (8) (9) THE GAZETTE OF INDIA : EXTRAORDINARY [PARTII SEC. 3(i)] Afrcq;yfipxi YTfi--„ -q-g-q-fa-_y-l-c--d 3å-åt-fii4- -it ü-æ-*Ä- a-fi fir Ofrr, qfrq;uPr y-l-fü-Tff -au-q-öl-å I f*--äq-ur (10) qrq-r, (11) üé, t, f*-Orur a-h-é (12) y-rcrr (13) 2.48 fir. 3(i)] 7 NOTIFICATION New Delhi, the 25th May, 2018 G.S.R. 494(E).—Whereas, with a view to protecting and improving the quality of environment and preventing, controlling and abating environmental pollution in the National Capital Region (NCR) States, there is a need to take measures relating to sale and use of pet coke in the NCR States; And Whereas, the Ministry of Environment, Forest and Climate Change (hereinafter referred to as the Ministry) has received representations with reference to sale, use and import of petcoke indicating the even in cases of permitted use, imports are not undertaken by the user agencies and are usually sourced through import facilitators; And Whereas, the Ministry after considering the said representations is of considered opinion that in order to facilitate the user under this notification, they can be permitted to source through import facilitators subject to the provisions of this notification; Now, therefore, in exercise of the powers conferred by sub-sections (l) and (2) of section 3 of the Environment (Protection) Act, 1986 (29 of 1986), the Central Government hereby issues the following directions, namely:- Sale and use of pet coke in NCR States for carbide manufacturing industry using fuel grade pet coke wherein it is used in the manufacturing process and not as a fuel: (1) (2) (3) (4) (5) (6) (7) (8) (9) (10) (11) The carbide manufacturing industry consuming pet coke in the process shall not operate in NCR States without obtaining the consent of and registration with the concerned State Pollution Control Board. Consent issued by the concerned State Pollution Control Board shall clearly specify the quantity for the process permitted per month and per annum vis-ä-vis products produced per month and per annum. Industrial unit shall not be permitted to store pet coke for more than its three month' s consumption. All producers or refineries, their authorised dealers and users of pet coke in NCR States, shall be registered with the concerned State Pollution Control Board. Refineries and their authorised dealers shall sell pet coke to only consented and registered industrial units in the NCR States according to the quantity permitted in the consent issued by the concerned State Pollution Control Board. Sale of pet coke by producers or refineries shall be in maximum two steps, from refinery-to-industry or from refinery-to-authorised dealer-to-industry. Only consented and registered industrial units of NCR States shall be permitted to directly import pet coke and consignment shall be in the name of user industrial units for their own use only. Import of pet coke for the purpose of trading shall not be permitted in NCR States: Provided

that in case a registered industrial unit desires to engage a third party to import pet coke on its behalf, the same may be permitted, if- (a) such third party registers with the concerned State Pollution Control Board; (b) the import by the third party is limited to the actual requirement of the industrial unit as specified in direction (2) and not for sale to any other party; (C) such third party furnishes declaration with respect to clauses (a) and (b) to the custom authorities. Producers or refineries and their authorised dealers shall submit details of pet coke produced and sold to end user industrial units during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis. All end user industrial units, including oil refineries, shall submit details of pet coke from different sources during the month (self-produced, imported, purchased from refineries or authorised dealers), quantity consumed during the month, and opening and closing stock to the concerned State Pollution Control Board on quarterly basis. The NCR States Pollution Control Boards shall develop an electronic record system for uploading of consents, registration, record of sales by oil refineries, and record of use by industrial units, as mentioned above and the 8 (12) (13) 2. THE GAZETTE OF INDIA : EXTRAORDINARY [PARTII SEC. 3(i)] said Boards shall share this data with the Central Pollution Control Board on a monthly basis for the first one year and thereafter on quarterly basis, and this data shall be published on the Central Pollution Control Board website on receipt from the State Pollution Control Board. Industrial units in NCR States shall source pet coke only from producers or refineries and their authorised dealers and they shall not source these products from any other intermediaries even when they are located outside the NCR States. For producers or refineries and their authorised dealers in non NCR States who are making sales to user industries in NCR States, such producers or refineries shall have to be registered with the State Pollution Control Board of the States where the end users reside in accordance with direction (4) above and they shall ensure that the sales are as per the directions (5) and (6) above, and they shall file quarterly reports to the State Pollution Control Board of the State where the end users reside in accordance with direction (9) above. This notification shall come into force on the date of its publication in the Official Gazette. [F.NO. (2-16017/4/2018-CPA] RITESH KUMAR SINGH, Jt. secy. Uploaded by Dte. of Printing at Government of India Press, Ring Road, Mayapuri, New Delhi- 110064 and Published by the Controller of Publications, Delhi- 110054. ALOK KUMAR Digitally signed by ALOK KUMAR Date: 2018.0529 1 +05'30'